

## The Times-Dispatch.

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TUESDAY, DECEMBER 15, 1903.

## Breaking the Baylor Survey.

We share with the great majority of Virginians the embarrassment they feel when called upon to pass judgment upon the merits and demerits of the various plans that have been proposed for developing the oyster industry in Chesapeake Bay and its tributaries, so as to deal justly with the oysterman and at the same time make it yield to the State the revenue to which she is entitled. It used to be the boast of Governor Wise, who was a "salt water" man, that the oyster property of Virginia, properly managed, would produce revenue enough to pay the whole debt and even the current expenses of the State. Governor McKim, a "fresh water" man, entertained much the same idea. Both were, perhaps, exaggerations, but there is unquestionably a source of value in these oyster lands which has not been properly developed or managed. We understand that the Cardwell bill, now before the Senate, is an effort in the direction of securing an increase of revenue to the State from this property. With this general purpose we are in perfect accord. So much did we think that any movement in that direction would be an improvement upon the present status that we have not criticised the bill, or given it the notice which its importance deserves. But the debates on the subject in and out of the Legislature, and a more careful examination of the provisions of the bill have raised difficulties and objections which, we think, make it clear that the bill, in its present form, should not become a law.

By the Baylor survey the State for the first time attempted to fix such boundaries, hazy and uncertain as they often were, to the areas of so-called oyster rock. By this survey the oyster grounds open to lease were limited, and it is now proposed to abandon the limits thus laid down and open the whole area again, subject to the judgment of a legislative committee, who will have to do their work before the expiration of the present Legislature, thirty days hence. It is true that if the same committee who visited the oyster grounds last summer were appointed on this commission they would have some knowledge of the subject, but it is simply an impossibility for the subject to be disposed of in so short a time, even if the committee had full knowledge of what were oyster rocks and what were not, and those oyster rocks had been adequately marked off by stakes or buoys, none of which has been done, nor any attempt made. The law does not, nor should it, attempt to do an impossibility. The ancient maxim about impossibilities well applies to this situation. Nor do we at all like the proposition to have this work done by a legislative committee. It seems to us that the execution of a law belongs to the Executive department of the State. We already have a Fisheries Commission, who are supposed to have acquired some knowledge of the subject, and whose term of office will continue beyond the life of the present Legislature, and who are competent to do whatever work the Legislature may find it proper to order. The appointment of a legislative committee to do what is plainly the function of another department is a dangerous precedent, even if there were not other and more serious objections to giving a committee authority to do, in an unreasonable short time, a work that will probably require years to accomplish properly.

The Legislature will do the State incalculable harm instead of good by passing the proposed bill. There is no desperate emergency to be met. Material progress has been made in obtaining for the State returns from her oyster lands. The complete and satisfactory solution of the problem, "How the State is to get all that she is properly entitled to," can only be reached by a patient evolution of the question, and not by hasty and ill-digested revolutionary methods. All that has been done so far may be so injured by ill-considered action now that it would take years to undo it. If, indeed, it ever could be undone. Another Legislature meets in a month; there are enough hold-over senators and returned delegates to insure that the oyster question will be brought up for full discussion. It seems to us that before the Baylor survey is trodden upon by a legislative committee or board of fisheries, or anybody else, a remedy should be made and marks as permanent as may be should be established, showing what is reserved for the State as oyster rock, and what is left out for lease; that the matter should be approached with due ac-

curacy and solemnity; that these grounds thus thrown open should be advertised, and, as some are worth more than others, and may be of very much greater value, provision should be made for the State to get all that her property is fairly worth under a twenty-year lease. For a legislative committee to interfere with the subject as it now stands, in the hasty and hazy way that is proposed, would turn loose all the evils that were in Pandora's box without even the comfort of hope being left behind.

It is not inappropriate to say, and we say it with all due respect to the gentlemen who may be concerned, that however sincere and patriotic may be their purposes, to ask that this great interest be passed upon by a legislative committee with such lightning speed is so unusual and unbusinesslike, as will surely make it the occasion of serious animadversion and criticism.

Don't "jam" this bill through, gentlemen, for it is a clear case where "haste makes waste."

## The Wrong Way.

Rev. Dr. Newell Dwight Hillis, of Brooklyn, lectured in Providence one night last week on Ruskin. The lecture was delivered here a year or so ago, and the Richmond audience was much delighted, but Dr. Hillis added something to his lecture since he was in Richmond. "God never meant," said he in Princeton, "that one man should control all of the oil and all of the steel of this country; that the man of ten talents should crush out the one talent man. And the ten talent men are throwing away their chances. God gave genius so that every man, woman and child should benefit by it. He never meant that there should be great monopolies of those things which are necessary to the comfort of the human being. He never intended that one man should control oil and possess \$100,000,000, while others had none."

That is the wrong way of stating a truth. When a prominent man thus talks, he is apt to arouse passion, prejudice and envy, and to stir up strife, if not a spirit of anarchy without any good result. The shiftless man is apt to infer from a statement like this that the Lord intended that he should be as well off as the thrifty man. But the Lord never intended any such thing. He never intended that idleness and shiftlessness and laziness should do as well in this world as thrift and industry. It is a rule of nature that as a man sows so shall he reap. It was intended by the Creator that struggle should have its reward, otherwise there would be no use in struggling, and struggle means development.

What Dr. Hillis should have said is that the Lord never intended that men should acquire wealth by dishonest methods, nor does he look on approvingly when wealth is arrogant and oppressive, and when it bears down upon the poor. If a man accumulates a great fortune by trickery and dishonesty or by oppressing the poor, or by any other method that is against nature, and contrary to public policy and the general welfare, he does wrong and he is to be condemned. But if one man by his tact, and energy and thrift is able to make a fortune of a million or more, without trespassing upon the rights of others, without dishonesty, and without unlawful means, he is neither to be condemned nor restrained.

Dr. Hillis is a case in point. He is a bright man; he has been a hard student; he has learned to entertain the public, and, therefore he receives more pay for one lecture than some men receive for a year's hard labor. Intelligence and thrift and enterprise will always outstrip ignorance and slothfulness, and the Lord intended that it should be so.

The Lord did not intend that Mr. Rockefeller should not be a millionaire. The question to be considered is not how much money Mr. Rockefeller or any other of the rich men of the country has accumulated, but the methods employed in its acquisition; and that is a question which the American people are now considering most seriously. Some of the methods employed by certain latter day combines were high handed and outrageous, and the laws should be so framed as to prevent a repetition of them in the future.

## Colombia's Intention.

The special correspondent of the Washington Post, who is in Colombia, and writing from there, thinks there is no doubt that Colombia will attempt to recover Panama by force of arms, and he thinks Colombia will be able to raise quite a large army, and that it will have the sympathy of its sister republics down that way. The utility of any such move, upon the part of Colombia he understands well enough, but he says that he is recording facts.

Poor old Colombia, it has been stupid and it has been wronged, but the sooner it recognizes the fact that it is helpless the better off it will be. It can't coerce Panama without beating off the United States, and it is preposterous for it to think of doing that.

Colombia would stand to lose more territory, not to regain an acre, in going to war with this country.

Grover Cleveland has gone down South on a real duck hunt. There can be no suspicion now that he is sequestering himself from the maddening crowd in order to think out a message to Congress. However, though he is in no position now to address Congress, between shots he may think out something to say to his fellow-countrymen about the burning issues of the day. Having put himself out of the presidential race, it may be that he will feel freer than heretofore to advise his fellow-citizens.

Rev. Dr. Robert Collier, of Chicago, who is now hale and hearty at eighty years of age, declares that the secret of his longevity and good health will be found in these three little rules: 1. Lead a natural life. 2. Eat what you want. 3. Always walk on the sunny side of the street.

It would take a good, strong, hearty man to follow these rules, though, of course, we do not like the good doctor too literally. As to rule No. 3 it is good

enough for winter use, but would hardly be practical about July 4th in this latitude.

Wonder how those good men feel who could and should have paid their poll-taxes and didn't, after all the warnings and urgings they had from the newspapers. Their consciences ought to smother them. While they are on the delinquent list some men who can hardly be called desirable voters, are on the "paid" list. The municipal elections here next spring are quite sure to be interesting from several points of view.

The Hon. William Jennings Bryan was received in private audience by the Pope on Sunday, having been presented by Monsignor Kennedy, rector of the American colony, who acted as interpreter.

Of course, it was only a coincidence that plenty of United States marines were floating around in the far southern waters just at the time that Panama trouble loomed up.

Will the Legislature with such stalling qualities linger longer than the new year? That's a question that admits of sufficient doubt to encourage a few bets.

Chicago will hardly be satisfied with one of the big conventions of next year, for she would rather have the Democratic layout, anyhow.

Dowie wants to wall up Zion City, and Chicago and New York are hoping he will fix it so that the modern Elijah will be kept on the inside.

Mr. Cleveland is right, the duck hunter is not made, but born, and he might have added, it is lucky that the birth rate is small.

Colombia should remember that "Peace on earth and good will to man" was proclaimed just at this season of the year.

Norfolk did not do so bad on the poll tax business. Only 1,318 voters out of a possible 7,463 failed to "pony" up.

It is not just the fitting thing there should be so many rumors of wars so near to the Christmas time.

Voters who wish to vote will keep their tax receipts in an iron safe warranted to hold for three years.

The outlook for a new million dollar Capitol in five years is not the brightest thing on the map.

The New Orleans bid for the Republican convention was evidently not heard by the auctioneer.

There will be some considerable voting in Richmond, poll tax or no poll tax.

And the snow-storm fooled us again, but nobody seems to be angry about it.

## Half Hour With Virginia Editors.

The Newport News Press, while not claiming to be an authority on military affairs, ventures this opinion: "Favoritism is not a wise policy in a military establishment and the President has made a mistake in seeking to get about of all other officers. If he felt it necessary to manifest strenuousness along that line he should have selected a man whose military talents were more in keeping with his ambition than is manifest in the case of Wood."

Anyhow our esteemed Petersburg morning contemporary is a good guesser. It says: "The Index-Appeal is not a prophet nor the god of prophets, but the extra session resulted just as the Index-Appeal said it would."

Here is an idea we have found only in the columns of the Roanoke World: "The importance of securing the electoral vote of the Empire State may possibly lead to the policy of the party for President to a son of that great and progressive Commonwealth, and it may be that the movement to secure the charter of McClelland is the standard bearer of Democracy in 1904 will gain such headway as to call for the nationalization of the democracy of the nation. In that case the name McClelland, which President Roosevelt did not mention in his inaugural address, would prove a rallying cry for the party that might carry its candidate triumphantly into the executive mansion at Washington."

The Approximate Times says: "To say the least of Senator McMillan's remarks on the Pure Elections bill, they were very interesting to the boys who put up cash and other valuable things to secure nominations for office."

## Personal and General.

Rev. Dr. Gunasalus, of Chicago, has declined the presidency of the Boston University.

Because of his work at the head of the Society for the Protection of Italian Immigrants, Elliot Norton, son of Charles Eliot Norton, a professor in Harvard University, has been elected a member of the Italian Society of Italy, on December 10th, the decoration of Maurice and Lazare.

Rt. Rev. Charles C. Gratton, bishop of the diocese of Fond du Lac, has just returned home from Russia, where he has been studying the condition of the Russian churches for the ecclesiastical council. He spent most of his time in Moscow and St. Petersburg and will shortly submit his report.

George Foster Peabody, a Georgian by birth, but a citizen of New York, is one of the principal contributors to the fund for a new building for a practice school and kindergarten soon to be erected upon the campus of Atlanta University for use in connection with its normal department.

Dr. H. M. Paine, one of the best known and oldest medical homeopathic practitioners in the country, has just died in Atlanta. His home is in New York. He had been suffering from cancer of the stomach for some time. He was a member of the New York State Homeopathic Medical Society, which was organized in May, 1860.

## A Few Foreign Facts.

Rules for the more careful handling of furniture by State railway employees have just been issued at all German stations.

Moved by the eloquence of a man who was charged at St. Petersburg with robbing the treasury, one of the most important presented him with a sum of money.

For the first time on record a Roman Catholic priest preached in a church in Vienna in the English language, on Sunday, November 22d.

All the jewelry and valuable costumes of the late Queen Draga have been taken over by the frontier by the representatives of her heirs, and from there sent to her sisters at Munich.

Thirty-six sepoys who were arrested on a charge of inciting to rebellion, and have been sent to the gallows by the British court martial, in the presence of all the troops forming the garrison of Kabul.

## DECISION OF IMPORTANCE

Work Being Rushed on the Construction of the Deep-Water Railroad.

## WILL GO TO TIDEWATER

Officials Refuse to Tell What Objective Point is, But it Will be on Virginia Coast.

(Special to The Times-Dispatch.)

CHARLESTON, W. VA., December 13.—The case of the Deepwater Railroad Company against Lambert and others, in which a decision was rendered yesterday by the West Virginia Supreme Court, is one of the most important to the parties interested, as well as to the entire southern section of this State, that has been in this tribunal in a long time. The suit is really one between the Deepwater Railroad, on the one side, and the Norfolk and Western Railroad and the Pocahontas Coal and Coke Company on the other, and the question involved the right of way for the plaintiff road over the lands of the coal company. The decision of the Supreme Court reversed that of the lower court, and allows condemnation proceedings against the land of the coal company.

Ever since the Deepwater Railroad made known its purpose to build a line from the Great Kanawha, a Deepwater, Fayette county, out through the Guyandotte Valley and so on to tidewater, its progress has been opposed in every possible way by the Chesapeake and Ohio and the Norfolk and Western, as the new road is destined to be a formidable competitor of these two roads as a coal carrier, passing as it does through the very richest coal lands of this section of West Virginia.

The Pocahontas Coal and Coke Company, which is owned by the Norfolk and Western, owns about sixty thousand acres of land through which the route of the new road runs, and when condemnation proceedings were instituted in the Circuit Court of Mercer county the new line was thrown out of court by the ruling of Judge Sawyer. An appeal was taken and the case carried to the Supreme Court, with result as stated, and the company can now proceed to condemn a right of way.

The contract for the thirty-one miles of road, the distance through the lands of the coal company, was let some time ago, subject to the decision of the court. Work will now begin at once on all parts of the line. Over a thousand men are at work at various places, and the road will be pushed to completion with all possible speed.

The officials of the Deepwater Railroad refuse to tell its route beyond the point to which it has been surveyed, except that it is stated the road will go to tidewater, which point on the new road will strike Newport News, Va., is said to be the most probable objective place, or some other point on the Virginia coast.

It is said there is considerable capital behind the project, which seems to be the case, considering the obstacles that have been successfully overcome in the building of the line thus far.

## END OF BOOM.

Elizabethton Must Get on Without Aid of Great Men.

(Special to The Times-Dispatch.)

BRISTOL, VA., Dec. 14.—The once noted Co-operative Town Company, which was organized during the Southern boom period, twelve years ago, and which had as its purpose the establishment of a great industrial city at Elizabethton, Tenn., a picturesque spot on the Watauga River, is now absolutely a thing of the past. The project, which seemed to be the case, considering the obstacles that have been successfully overcome in the building of the line thus far.

## BRISTOL WATER SUPPLY.

Injunction Brought Against the Tennessee Town.

(Special to The Times-Dispatch.) BRISTOL, VA., Dec. 14.—The Mayor and Aldermen of Bristol, Tenn., have been enjoined by citizens from putting into effect the deal whereby the city was to become owner of the Bristol-Goodson water works and certain water sources for the sum of \$112,500. The petitioners claim that the Board has no legal right to make such a deal, that they further have a right to construct a line of pipes in Virginia, and further that the price agreed upon for the purchase of the water works is unreasonable and unjust. Chancellor Hal H. Haynes has granted a temporary injunction in the case. It looks like the beginning of a legal battle between the Board and citizens who oppose the purchase and favor a river supply of water.

## INDICTED FOR MURDER.

Special Grand Jury Returns True Bill Against Peoples.

(Special to The Times-Dispatch.)


WYTHEVILLE, VA., December 14.—A special grand jury to-day indicted Chester Peoples for the murder of John Seagle, William Spurgeon Moore for bigamy; Ballard Wyrick for grand larceny; and Louisa Lampkins for burglary. It is believed that an attempt will be made by Peoples' attorneys to have a continuance of the case against him. The County Court was occupied to-day in the trial of George H. Neff for shooting the Georgia Landlord, at Rural Retreat, Va., some months ago. Neff is a hotel-keeper at Rural Retreat. The shot is alleged to have been fired from the veranda of Neff's hotel, while Lindsey was standing on the railroad track. This case will consume a day or two.

## THE WEDNESDAY CLUB

WILL REHEARSE TO-NIGHT

The regular rehearsal of the Wednesday Club will be held to-night at the hall of the Y. M. C. A., beginning at 8:15 o'clock sharp. This will be the last rehearsal before the holidays, and the next will take place on Tuesday, January 5th, at the same place and hour.

The club now has two branches out of town, one at Farmville and the other at Abingdon, and the director, Mr. Goodkin, expects to visit both branches during January. The children's chorus will be assembled for work on the evening of the 14th, and notice of which will be made later on.



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"I wish to state that I have tested your Concentrated Water, and results have been entirely satisfactory."

"I selected a case of a young woman whose face was disfigured by pimples of long standing, for which I had been giving different treatments for several years with no effect. After she had taken the first bottle I imagined I could see some little improvement, but was not sure. I had her father get two more bottles which she has now taken. Results: Pimples are all gone, and her skin is as soft and as clear as a baby's."

"At the same time her appetite, which was very poor, has greatly improved, and she finds her monthly periods much easier than ever before. Hereafter I will gladly report other cases."

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Over 200 Virginia physicians are using our Concentrated Water with the same results in treating all chronic diseases. Guaranteed to cure or money refunded.

For sale by Owens and Minor Drug Co. and all druggists. 8-oz. bottles 60 cents; 15-oz. bottles, \$1.

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## The Chesterfield Cafe

And Rathskeller Now Open.

BREAKFAST—7:30 to 9.

LUNCHEON—1 to 2.

TABLE D'HOTE—DINNER—6:30 to 7:30.

SUNDAYS—DINNER at 2.

HOT SUPPER—6:30 to 7:30.

THE CHESTERFIELD, Shafer and Franklin Streets.

## R. L. CHRISTIAN & CO.,

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Xmas Groceries

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HUYLER'S CANDY.

Large assortment of HUYLER'S fancy filled baskets just received.

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no more acceptable Christmas remembrance than a nice box of

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ALBEMARLE PIPPINS, WINESAPS, YORK IMPERIAL and several other fine varieties, each apple nicely wrapped in paper and packed in one-bushel boxes. Will ship anywhere for you. Prices right.

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HOT DRINKS.

While downtown shopping drop in and try some of the delicious hot drinks at our fountain. You'll enjoy the drink the rest will do you good. incidentally, you can examine our elegant assortment of Christmas novelties.

POLK MILLER DRUG CO., No. 21 E. Main Street.



## Special Sale OF Opera Glasses

at about ONE HALF of their usual value, to make room for new importation and preceding to removal to our new quarters. This is an exceptional Opera Glass opportunity for Xmas presents or personal use.

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Manufacturing Opticians and Export Adjusters of Spectacles, Eyeglasses, Artificial Eyes, Etc.

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## COAL.

You can't be happy if you are burning poor Coal. The Coal we sell is not a worry producer. It is a worry saver. We handle all kinds of Anthracite, Stove, Egg, Nut and Broken Splint, Lump, Fire Creek Lump, New River Lump and Steam Coal.

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just as much as any other man. Let me help my journeyman to buy their Christmas turkeys by giving me the contract to paint your house now instead of waiting till spring. That will be an act of practical charity, and you'll get better work than if you put it off, because I have none but skilled mechanics now, but in the spring rush I often have to hire strangers that we know little about.

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Phone 2848.

## THE XMAS SALE OF UPRIGHTS

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This is not profit-making time. The floor must be cleared of these slightly used Uprights—we haven't room for them.

HERE THEY ARE:

\$600 Piano,	\$290
\$500 "	\$260
\$400 "	\$250
\$300 "	\$220
\$300 "	\$200
\$300 "	\$190
\$300 "	\$150

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